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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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7 TOMMY FUENTEZ,) 1:02-CV-05948 GSA HC
8)
9 Petitioner,) SCHEDULING ORDER
10)
11 v.) Telephonic Status Conference
12) Date: June 25, 2009
13) Time: 9:30 a.m.
14)
15 FRED BROWN, Warden,) Evidentiary Hearing
16) Date: August 25, 2009
17) Time: 9:00 a.m.
18 Respondent.) Courtroom: Ten
19 _____)

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21 Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to
22 28 U.S.C. § 2254 on remand from the Ninth Circuit Court of Appeals.

23 On March 12, 2009, a telephonic status conference was held before the undersigned. Barry L.
24 Morris, Esq., appeared on behalf of Petitioner. Melissa J. Lipon, Esq., of the Office of the California
25 Attorney General, appeared on behalf of Respondent. It appearing that an evidentiary hearing will be
26 necessary, the parties requested the evidentiary hearing be scheduled.

27 Accordingly, IT IS HEREBY ORDERED:

- 28 1. A telephonic status conference hearing will be held on **Thursday, June 25, 2009, at 9:30 a.m.;**
2. The evidentiary hearing will be held on **Thursday, August 25, 2009 at 9:00 a.m.;**
and
3. The parties are directed to file their respective briefs on or before **August 7, 2009.**

IT IS SO ORDERED.

Dated: March 12, 2009

/s/ Gary S. Austin

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UNITED STATES MAGISTRATE JUDGE